

Michael Poffenbarger < michael.poffenbarger@gmail.com >

## **Notice of Covid Order Paperwork**

4 messages

KOJAK, CHRISTOPHER P Lt Col USAF AFRC 89 AS/DOLP <christopher.kojak.1@us.af.mil> Sun, Dec 12, 2021 at 5:17 PM To: Michael Poffenbarger <michael.poffenbarger@gmail.com>

Hello Mike,
I hope you had a good weekend.
Attached is your order from 4AF/CC to receive your Covid vaccine when we discussed your RAR appeal being denied on Friday.
Can you sign at your signature block on Page 2 and return to me? (Wet signature and scan is fine in lieu of a digital signature.)
Let me know if you have any questions. Best way to reach me is on my cell. I am overnighting in Raleigh, NC tonight and will be flying to California in the morning.
Chris
V/r,
Lt Col Chris Kojak
445 OSS/CC
WPAFB, OH 45433
(O) 937-257-6412
(C) 843-819-2063
COVID order post RAR order and endorsement (Poffenbarger).pdf

™ 55K

Michael Poffenbarger < michael.poffenbarger@gmail.com > Tue, Dec 14, 2021 at 8:23 AM To: "KOJAK, CHRISTOPHER P Lt Col USAF AFRC 89 AS/DOLP" <christopher.kojak.1@us.af.mil>

Good morning, Sir.

I will plan to get you a signed copy of this order today.

V/R,

Michael Poffenbarger, 2Lt USAF

[Quoted text hidden]

Michael Poffenbarger < michael.poffenbarger@gmail.com >

Tue, Dec 14, 2021 at 8:46 PM

To: "KOJAK, CHRISTOPHER P Lt Col USAF AFRC 89 AS/DOLP" <christopher.kojak.1@us.af.mil>

Sir,

Attached is a photo of the signed 2nd page.

V/R,

Michael Poffenbarger, 2Lt

On Sun, Dec 12, 2021, 5:17 PM KOJAK, CHRISTOPHER P Lt Col USAF AFRC 89 AS/DOLP <a href="mailto:christopher.kojak.1@us.af.mil">christopher.kojak.1@us.af.mil</a> wrote:

[Quoted text hidden]



**20211214\_204339.jpg** 4770K

Michael Poffenbarger < michael.poffenbarger@gmail.com >

Wed, Dec 29, 2021 at 7:56 PM

To: "KOJAK, CHRISTOPHER P Lt Col USAF AFRC 89 AS/DOLP" <christopher.kojak.1@us.af.mil>

Good Evening Lt Col Kojak.

In looking through our correspondence I noticed that I do not have a denial letter regarding my appeal.

Would you please forward it to me?

Thank you sir.

Very Respectfully,

Michael Poffenbarger, 2d Lt, USAF

On Sun, Dec 12, 2021, 5:17 PM KOJAK, CHRISTOPHER P Lt Col USAF AFRC 89 AS/DOLP <a href="mailto:christopher.kojak.1@us.af.mil">christopher.kojak.1@us.af.mil</a> wrote:

[Quoted text hidden]

Case: 3:22-cv-00001-TMR-CHG Doc #: 1-6 Filed: 01/02/22 Page: 3 of 4 PAGEID #: 27



## DEPARTMENT OF THE AIR FORCE AIR FORCE RESERVE COMMAND

10 December 2021

## MEMORANDUM FOR 4 AF MILITARY MEMBERS

FROM: 4 AF COMMANDER

SUBJECT: Order to Receive Mandatory COVID-19 Vaccine

- 1. On 24 Aug 21, the Secretary of Defense issued a mandate for all members of the Armed Forces under DoD authority to receive the COVID-19 vaccine. Subsequently, on 3 September 2021, the Department of the Air Force issued additional guidance for all Air Force military members.
- 2. If AFRC/CC denies your religious accommodation request, you may appeal the denial. Should you appeal, I am ordering you to submit your appeal to The Surgeon General of the Air Force (AF/SG), through your chain of command, within 72 hours of notification that AFRC/CC has denied your request. If you choose to appeal, your temporary exemption will continue until AF/SG renders a final decision. If AF/SG approves your appeal, your exemption will go into effect. If AF/SG denies your appeal, then your temporary exemption will be no longer be in effect.
- 3. If you do not appeal to AF/SG or if AF/SG denies your religious accommodation request appeal, then I am ordering you to receive an initial dose of a COVID-19 vaccine with full licensure approval from the FDA AND provide proof of vaccination by 1200 hours (noon) during your first duty day in military status, to include, but not limited to, AT, RMP, RPA, UTA, or IDT. Additionally, you are ordered to receive the second dose of the COVID-19 vaccine AND provide proof no later than twenty-one (21) days after the first dose for Pfizer or twenty-eight (28) days for Moderna.
- 4. The Pfizer COVID-19 vaccine is not the only option available for complying with this order. Alternatively, you may choose to receive the two-shot Moderna COVID-19 vaccine or the single shot J&J COVID-19 vaccine. If you choose to receive the J&J vaccine, you must comply with the first deadline listed above.
- 5. When you were first ordered to receive the vaccine, you were provided access to medical, legal, and religious counseling. These resources are still available to you should you have additional questions. If you have legal questions, you may contact your local area defense counsel or contact the AFRC Defense Counsel at 478-327-4911. You will not be granted an extension to this order to seek counsel absent good cause. If you want an extension, you must request an extension from me in writing.
- 6. Failure to comply with this lawful order may result in administrative and/or punitive action for Failing to Obey an Order under Article 92, Uniform Code of Military Justice.

PENNINGTON.JEFF Digitally signed by PENNINGTON.JEFFREY.T.1149511

REY.T.1149511101 Date: 2021.11.01 16:45:33 -07'00'

JEFFREY T. PENNINGTON, Maj Gen, USAF Commander

1st Ind,
MEMORANDUM FOR 4 AF/CC
I acknowledge receipt of this order on 10 Dec 2021. I understand the dates for starting and completing the COVID-19 vaccination process. I also understand I must provide proof in accordance with the timelines listed in the order.
MICHAEL J. POFFENBARGER, 2Lt, USAF
2d Ind to 4 AF/CC, 10 Dec 21, Order to Receive Mandatory COVID-19
Vaccine4 AF/CC
MEMORANDUM FOR 2Lt MICHAEL J. POFFENBARGER
On <u>3 Jan 2022</u> , Member:
a provided proof of receiving an initial dose of a Pfizer or Moderna COVID-19 vaccination series OR provided proof of receiving of a J&J COVID-19 vaccination;
b did not provide proof of vaccination, and thus failed to comply with the order and is in violation of Article 92, UCMJ.
RAYMOND A. SMITH, JR., Colonel USAF Commander
3d Ind to 4 AF/CC, 10 Dec 21, Order to Receive Mandatory COVID-19
Vaccine4 AF/CC
MEMORANDUM FOR 2Lt MICHAEL J. POFFENBARGER
On <u>3 Jan 2022</u> , Member:

a. \_\_\_\_\_ provided proof of receiving a completed Pfizer or Moderna COVID-19 vaccination series OR provided proof of receiving of a J&J COVID-19 vaccination; or

failed to comply with the 4 AF/CC order and is in violation of Article 92, UCMJ.

b. \_\_\_\_\_ did not provide sufficient documentation and thus failed to comply with the order. Member

RAYMOND A. SMITH, JR., Colonel USAF Commander